

10- R -0181

CLAIM OF: JACLYN BRADLEY AND
RAYFIELD GOSS
2000 Smithfield
Ellenwood, Georgia 30294

For damages alleged to have been sustained as a result of striking a pothole on September 26, 2009 at 3405 Lenox Road.

**BY PUBLIC SAFETY AND LEGAL ADMINISTRATION
COMMITTEE:**

BE IT RESOLVED by the Council of the City of Atlanta that action of the Department of Law be approved in authorizing payment to **JACLYN BRADLEY AND RAYFIELD GOSS** the sum of **\$559.84** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of striking a pothole on September 26, 2009 at 3405 Lenox Road as is more particularly set forth in the within claim; said sum taken from and charged to account **1001.200101.5212005.1512000**.

APPROVED: ROGER BHANDARI
ACTING CITY ATTORNEY


BY: 
JERRY L. DELOACH
DEPUTY CITY ATTORNEY


FAVORABLE REPORT

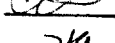
PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE

DATE: 1/26/10

CHAIR: 









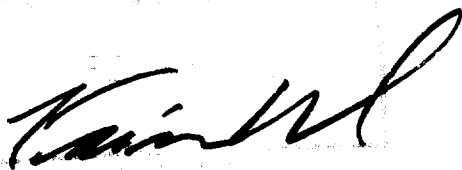






FEB 01 2010

ADOPTED BY
FEB 01 2010
COUNCIL





**MUNICIPAL CLERK
ATLANTA, GEORGIA**

10-R-0181

A RESOLUTION

**BY PUBLIC SAFETY AND
LEGAL ADMINISTRATION COMMITTEE**

BE IT RESOLVED BY the Council of the City of Atlanta that action of the Department of Law be approved in authorizing payment to **Jaclyn Bradley and Rayfield Goss** the sum of **\$559.84** as full and final settlement and satisfaction of all claims, past, present and future, of every kind and character, for property damages alleged to have been sustained as a result of **striking a pothole on September 26, 2009 at 3405 Lenox Road** as is more particularly set forth in the within claim; said sum taken from and charged to Account **1001/200101/5212005/1512000**.

A true copy,

A handwritten signature in black ink, appearing to be "Kasim Reed", written over the words "A true copy," and "Deputy Clerk".

Deputy Clerk

**ADOPTED by the Atlanta City Council
APPROVED by Mayor Kasim Reed**

**FEB 01, 2010
FEB 09, 2010**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 09L0956

Date: December 30, 2009

Claimant /Victim JACLYN BRADLEY AND RAYFIELD GOSS

BY:(Atty)(Ins.Co.)

Address: 2000 Smithfield Ellenwood, Georgia 30294

Subrogation: Claim for Property damage \$ 609.34 Bodily Injury \$

Date of Notice: 11/16/09 Method: Written, proper X Improper

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 09/26/09 Place: 3405 Lenox Road

Department Public Works Bureau: Office: Transportation Services

Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimants allege that they sustained damages as a result of striking a pothole at 3405 Lenox Road. However, an investigation determined that the city was on notice of a problem at this location, but failed to make repairs in a timely manner.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral

Pictures Diagrams Reports: Police Dept Report X Other

Traffic citations issued: City Driver Claimant Driver

Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial

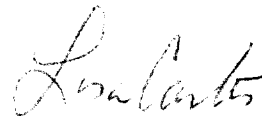
Improper Notice More than Six Months Other Damages reasonable

City not involved Offer rejected Compromise settlement X

Repair/replacement by Ins. Co. Repair/replacement by City Forces

Claimant Negligent City Negligent X Joint Claim Abandoned

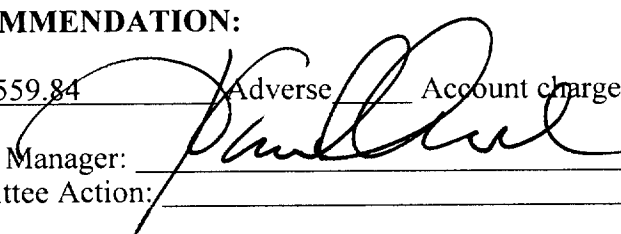
Respectfully submitted,



INVESTIGATOR - LISA CARTER

RECOMMENDATION:

Pay \$ 559.84 Adverse Account charged: General Fund X Water & Sewer Aviation

Claims Manager:  Concur/date 01/06/10

Committee Action: Council Action

COUNCIL OF THE CITY OF ATLANTA
MUNICIPAL CLERK
City Hall
55 Trinity Avenue, SW
Atlanta, Georgia 30303

RECEIVED
OFFICE OF
MUNICIPAL CLERK

2009 NOV 16 PM 4:48
RE: CLAIM FOR DAMAGES

Today's Date: 9/30/09

Carter
11/25/09

Dear Municipal Clerk:

ENTERED - 12-2-09 - SB
09L0956 - L. CARTER

This is to notify the City of Atlanta that I have suffered damages in the amount of \$ over 600.00 property and/or \$ _____ bodily injury for which I contend the City is liable.

1. Date of incident: 9/26/09 2. Time of incident: 11:23^{PM} 3. Police called: No
4. Location of incident (including street address): Across the street from 3405 Lenox RD NE Atlanta, GA 30326
5. Name of your insurance company: State Farm Policy No. _____
6. State what and how incident occurred: I driving on Lenox road going to the J.W. Marriott Hotel. When in the road there was a oversize pot hole that I did not see I ran into the pothole and it broke the wheel and blew a P the tire.
7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!

8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle.

Your vehicle: Pontiac G6 07 8HLFO1 Jaelyn Bradley
(Make) (Year) (Tag Number) (Driver's Name)

City vehicle: _____
(Make) (City Driver's Name) (Department/Bureau)

Witness: No witness But the Valet at the J.W. Marriott put my spare tire on the car for me.

9. Acknowledgement of this claim in no way waives the Sovereign immunity of the City of Atlanta nor is it an admission of liability on behalf of the City of Atlanta employee(s).

11. Claim received within 6 months from the date of the event.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Signature of Claimant

Jaelyn Bradley
(Print Claimant's Name)

2000 Smith Field
(Address)

Ellenwood, GA 30294
(City, State and Zip Code)

(33)377-0546
(Work Number) (Home Number)

10- R-0181

RCS# 42
2/01/10
2:07 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 1

B Smith	Y Archibong	Y Moore	Y Bond
NV Hall	Y Wan	Y Martin	Y Watson
Y Young	Y Shook	Y Bottoms	Y Willis
Y Winslow	Y Adrean	Y Sheperd	NV Mitchell

CONSENT I

		02-01-10
ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 10-O-0118	36. 10-R-0182	
2. 10-O-0119	37. 10-R-0183	
3. 10-O-0120	38. 10-R-0184	
4. 10-O-0121	39. 10-R-0185	
5. 10-O-0122	40. 10-R-0186	
6. 10-O-0123	41. 10-R-0187	
7. 10-O-0126	42. 10-R-0188	
8. 10-O-0127	43. 10-R-0189	
9. 10-O-0128	44. 10-R-0190	
10. 10-O-0129	45. 10-R-0191	
11. 10-O-0220	46. 10-R-0192	
12. 10-O-0221	47. 10-R-0193	
13. 10-O-0057	48. 10-R-0194	
14. 10-O-0135	49. 10-R-0195	
15. 10-R-0134	50. 10-R-0196	
16. 10-R-0162	51. 10-R-0197	
17. 10-R-0227	52. 10-R-0198	
19. 10-R-0164	53. 10-R-0199	
20. 10-R-0165	54. 10-R-0200	
21. 10-R-0166	55. 10-R-0201	
22. 10-R-0169	56. 10-R-0202	
23. 10-R-0170	57. 10-R-0203	
24. 10-R-0171	58. 10-R-0204	
25. 10-R-0222	59. 10-R-0205	
26. 10-R-0228		
27. 10-R-0173		
28. 10-R-0174		
29. 10-R-0175		
30. 10-R-0176		
31. 10-R-0177		
32. 10-R-0178		
33. 10-R-0179		
34. 10-R-0180		
35. 10-R-0181		